

IFW



PATENT
Customer No. 22,852
Attorney Docket No. 8888.0517-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Francis BLANCHE et al.)	Group Art Unit: 1645
)	
Application No.: 10/812,912)	Examiner: not yet assigned
)	
Filed: March 31, 2004)	
)	
For: COMPOSITION FOR THE)	
PRESERVATION OF)	
INFECTIOUS RECOMBINANT)	
ADENOVIRUSES)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application, or before mailing of the first Office Action on the merits.

Copies of the listed documents were previously submitted in a prior application, application no. 09/970,663, filing date October 5, 2001, upon which applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

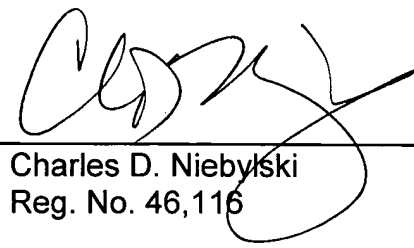
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 2, 2004

By: _____


Charles D. Niebylski
Reg. No. 46,116

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	8888.0517-01	Appln. No.	10/812,912
Applicant	Francis BLANCHE <i>et al.</i>		
Filing Date	March 31, 2004	Group:	1645

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
WO 98/02522	01/22/98	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Amin, R., <i>et al.</i> , "Replication-Deficient Adenovirus Induces Expression of Interleukin-8 by Airway Epithelial Cells <i>In Vitro</i> ," Human Gene Therapy, 6:145-153 (1995).
Bajocchi, G., <i>et al.</i> , "Direct <i>In Vivo</i> Gene Transfer to Ependymal Cells in the Central Nervous System Using Recombinant Adenovirus Vectors," Nature Genetics, 3:229-234, (1993).
Colak, A., <i>et al.</i> , "Adenovirus-Mediated Gene Therapy in an Experimental Model of Breast Cancer Metastatic to the Brain," Human Gene Therapy, 6:1317-1322 (1995).
Crystal, R.G., <i>et al.</i> , "A Phase 1 Study, in Cystic Fibrosis Patients, of the Safety, Toxicity, and Biological Efficacy of a Single Administration of a Replication Deficient, Recombinant Adenovirus Carrying the cDNA of the Normal Cystic Fibrosis Transmembrane Conductance Regulator Gene in the Lung," Human Gene Therapy, 6:643-666 (1995).
Fang, B., <i>et al.</i> , "Gene Therapy for Hemophilia B: Host Immunosuppression Prolongs the Therapeutic Effect of Adenovirus-Mediated Factor IX Expression," Human Gene Therapy, 6:1039-1044 (1995).
Kagami, H., <i>et al.</i> , "Evidence for the Systemic Delivery of a Transgene Product from Salivary Glands," Human Gene Therapy, 7:2177-2184 (1996).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	8888.0517-01	Appln. No.	10/812,912
Applicant	Francis BLANCHE <i>et al.</i>		
Filing Date	March 31, 2004	Group:	1645

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Korst, R.J., <i>et al.</i> , "In Vitro and In Vivo Transfer and Expression of Human Surfactant SP-A- and SP-B-Associated Protein cDNAs Mediated by Replication-Deficient, Recombinant Adenoviral Vectors," Human Gene Therapy, 6:277-287 (1995).
	Lieber, A., <i>et al.</i> , "Adenovirus-Mediated Transfer of the Amphotropic Retrovirus Receptor cDNA Increases Retroviral Transduction in Cultured Cells," Human Gene Therapy, 6:5-11 (1995).
	Mittereder, N., <i>et al.</i> , "Evaluation of the Concentration and Bioactivity of Adenovirus Vectors for Gene Therapy," Journal of Virology, 70:7498-7509 (1996).
	Rosenfeld, M.A., <i>et al.</i> , "In Vivo Transfer of the Human Cystic Fibrosis Transmembrane Conductance Regular Gene to the Airway Epithelium," Cell, 68:143-155 (1992).
	Sene, C., <i>et al.</i> , "Aerosol-Mediated Delivery of Recombinant Adenovirus to the Airways of Nonhuman Primates," Human Gene Therapy, 6:1587-1593 (1995).
	Von Seggern, D.J., <i>et al.</i> , "A Helper-Independent Adenovirus Vector with E1, E2, and Fiber Deleted: Structure and Infectivity of Fiberless Particles," Journal of Virology, 73:1601-1608 (1999).
	Vrancken Peeters, M-J, <i>et al.</i> , "Adenovirus-Mediated Hepatic Gene Transfer in Mice: Comparison of Intravascular and Biliary Administration," Human Gene Therapy, 7:1693-1699 (1996).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce